

**HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION**

Dated: Nainital: the 4th December, 2006

First Bail Application No.691 of 2006

Order on the Bail application of accused.

CRIMINAL SIDE

Yusoof,
S/o Bakshi,
R/o Hapur Adde ke Pass,
Kithore, Police Station-Kithore,
District-Meerut (U.P.) Applicant in Jail.

Versus

State of Uttaranchal Opposite Party

In Case crime No. 39 of 2006
U/s 395, 412 I.P.C. Pathri,
District – Haridwar.

Hon'ble Rajesh Tandon, J.

Heard Sri Rajendra Singh, counsel for the applicant and A.G.A. for the State.

According to the FIR shows that some articles have been looted along with a sum of Rs. 2, 000/- from the house of the Smt. Kaushal, Rs. 300/- from the house of Kanhaiya and Rs. 400/- from the house of Rashveer.

A perusal of the recovery memorandum shows that one silver Payjeb and one pair of gold ear-rings have been recovered, which were found in the red purse near the pond, but there is no mention of recovery of anything from the applicant.

Counsel for the applicant has submitted that the FIR and the recovery memorandum does not tally with each other and there is no mention of the name of the applicant in the FIR.

However, without entering into the merit of the controversy, it appears to be a fit case for bail. Let the applicant be released on bail on executing personal bond and furnishing

two sureties each of the like amount to the satisfaction of the Magistrate concerned.

(Rajesh Tandon, J.)

Dated 04.12.2006
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